

**ENTERED**

September 05, 2019

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
GALVESTON DIVISION

|                                 |   |                                 |
|---------------------------------|---|---------------------------------|
| ROYAL HOSPITALITY CORP.         | § |                                 |
|                                 | § |                                 |
| Plaintiff.                      | § |                                 |
|                                 | § |                                 |
|                                 | § |                                 |
| VS.                             | § | CIVIL ACTION NO. 3:18-CV-000102 |
|                                 | § |                                 |
| UNDERWRITERS AT LLOYD'S, et al. | § |                                 |
|                                 | § |                                 |
| Defendants.                     | § |                                 |

**ORDER ADOPTING MAGISTRATE JUDGE'S  
MEMORANDUM AND RECOMMENDATION**

On July 15, 2019, Defendant Hallmark Specialty Insurance Company's Motion for Judgment on the Pleadings, or in the Alternative, Motion for Summary Judgment (Dkt. 54) and Defendant AXIS Corporate Capital UK Limited, Successor in Interest to Novae Group PLC's Motion for Judgment on the Pleadings, or in the Alternative, Motion for Summary Judgment (Dkt. 59) were referred to United States Magistrate Judge Andrew M. Edison pursuant to 28 U.S.C. § 636(b)(1)(B). Dkt. 67. On August 20, 2019, Judge Edison filed a Memorandum and Recommendation (Dkt. 70) recommending that the motions be **GRANTED**.

On September 3, 2019, Plaintiff Royal Hospitality Corp. filed its Objections. In accordance with 28 U.S.C. § 636(b)(1)(C), this Court is required to "make a de novo determination of those portions of the [magistrate judge's] report or specified proposed findings or recommendations to which objection [has been] made." After conducting this

de novo review, the Court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” *Id.*; *see also* FED. R. CIV. P. 72(b)(3).

The Court has carefully considered the Objections; the Memorandum and Recommendation; the pleadings; and the record. The Court **ACCEPTS** Judge Edison’s Memorandum and Recommendation and **ADOPTS** it as the opinion of the Court. It is therefore **ORDERED** that:

- (1) Judge Edison’s Memorandum and Recommendation (Dkt. 70) is **APPROVED AND ADOPTED** in its entirety as the holding of the Court;
- (2) Defendant Hallmark Specialty Insurance Company’s Motion for Judgment on the Pleadings, or in the Alternative, Motion for Summary Judgment (Dkt. 54) and Defendant AXIS Corporate Capital UK Limited, Successor in Interest to Novae Group PLC’s Motion for Judgment on the Pleadings, or in the Alternative, Motion for Summary Judgment (Dkt. 59) are **GRANTED**; and
- (3) Hallmark Specialty Insurance Company and AXIS Corporate Capital UK Limited are dismissed from this case without prejudice.

It is so **ORDERED**.

SIGNED at Galveston, Texas, this 5th day of September, 2019.

  
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George C. Hanks Jr.  
United States District Judge